IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 7098 OF 2006

Balgonda Kenchyappa Patil & ors.... Petitioner

versus

Shri Jyotorling V.K.S.(Vikas)
Seva Sanstha Ltd. & ors..... Respondent.

Shri Amit Borkar for the petitioner
Shri Tejpal S. Ingale for respondents 1 to 3.

CORAM; A.P. DESHPANDE, J.
DATED; 04TH AUGUST, 2007

P.C.;

1. The present petitioners are original disputants before the Co-operative Court. In the dispute the petitioners have filed an application praying for grant of temporary injunction restraining the respondent from implementing the impugned resolution. The application for temporary injunction came to be rejected. Aggreived thereby the petitioner carried an appeal before the appellate court and the appellate court rejected the appeal and aggreived thereby the present writ petition has been filed.

2. Various disputed questions of fact are involved in the present petition. It cannot be gone into in exercise of writ jurisdiction. The learned counsel for the petitioner as such submits that the petitioner

be permitted to withdraw the writ petition and appropriate direction be issued to the co-operative court to expeditiously decide the dispute pending on its file. The learned counsel for the respondent nos. 1,2 and 3 has no objection for expeditious disposal of the dispute. Hence writ petiiton is allowed to be withdrawn. However, having regard to the facts of the present case, I direct the Co-operative court to decide the dispute as expeditiously as possible preferably within six months from today.

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